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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
212,911	12/04/80	Edward W. Petrillo, Jr.	HA224

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EXAMINER	
JTFan	
ART UNIT	PAPER NUMBER
121	3

DATE MAILED:

MAILED

This is a communication from the examiner in charge of your application.

COMMISSIONER OF PATENTS AND TRADEMARKS

JUN 10 1981

This application has been examined. Responsive to communication filed on GROUP 120 This action is made final.

A shortened statutory period for response to this action is set to expire three month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892 2. Notice of Informal Patent Drawing, PTO-948
3. Notice of References Cited by Applicant, PTO-1449 4. Notice of Informal Patent Application, Form PTO-152

5. _____

Part II SUMMARY OF ACTION

1. Claims 1 - 13 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. Claims _____ have been cancelled.

3. Claims _____ are allowed.

4. Claims 1, 2, 7 - 10 are rejected.

5. Claims 3 - 6, 11 - 13 are objected to.

6. Claims _____ are subject to restriction or election requirement.

7. The formal drawings filed on _____ are acceptable.

8. The drawing correction request filed on _____ has been approved. disapproved.

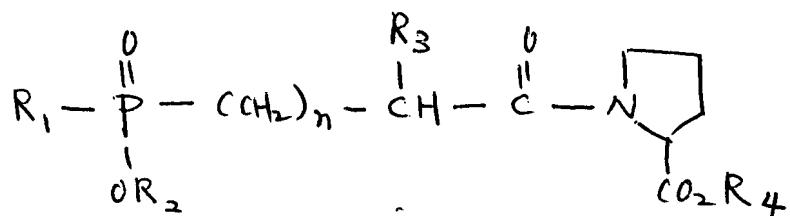
9. Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has
 been received. not been received. been filed in parent application, serial no. _____,
filed on _____.

10. Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

11. Other

Art Unit 121

Claims 1, 2, 7-10 are rejected under 35 U.S.C.
103 as being obvious over Petrillo, Jr. (patent No.4168267)
in view of Ondetti et al. (patents 4105776, 41⁴₅935, 4234489),
Krapcho (patent No. 4217359) British patents 2027025 and
2028327. Petrillo, Jr. discloses and claims phosphinyl-
alkanoyl substituted prolines of the following structures:



the only difference between the art compounds and the claimed ones is in the substituent on the proline moiety, various substituents for the claimed ones versus hydrogen for the art ones. However, the secondary references disclose the equivalencies among the following substituents: hydrogen, hydroxy, alkyl, halogen, carbamoxyl, keto, phenyl, hydroxy-phenyl, cycloalkyl, ether, thioether and the like for structurally similar proline derivatives having antihypertensive activities. Accordingly, the claimed compounds are obvious over the art ones.

Claim 1 is rejected under 35 U.S.C. 112, paragraph 1. The specification does not contain a sufficient enabling disclosure with respect to the following terms - "alkyl",

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"aryl", "arylalkyl", "cycloalkyl", "cycloalkylalkyl", "alkoxy" since there is no limit to the size and complexity of these groups claimed.

Claim 1 is rejected under 35 U.S.C. 112, paragraph 2. The claim is confusing since -OR₄' in the first structural formula is erroneous. The number 4' should be 4. Furthermore, cycloalkyl(alkyl) should be changed to cycloalkyalkyl.

Claims 3-6 and 11-13 are objected to as being dependent on a rejected claim.

Copies of prior art references have been considered and made of record. All have been used for the art rejection.

JTFan:elt

A/C 703

557-2517

05/27/81

Jane T. Fan